

**KARNATAKA LOKAYUKTA : BANGALORE**

No: Compt/Uplok/Misc.1264/2014

Date: 09/11/2015.

**O R D E R**

Sub: Complaint by B.PAC Organisation represented by CEO, alleging non cleaning and removing debris and garbage accumulated below the Metro Lane as well as under the Metro Stations - reg.

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Complaint Organisation has complained that, meridian line constructed below the Metro Lane has become the dumping place for both garbage as well as the construction debris, further non-providing drinking water etc.

2. Based on the allegation made in the complaint, on several dates, enquiry was conducted. One of such enquiry was attended by the M.D., BMRCL, Commissioner of BBMP as well as other officers and on other occasion the enquiry attended by the higher officials of the BMRCL and BBMP. During the course of enquiry, both BBMP as well as BMRCL submitted that, in co-ordination both the organisations would take up the cleaning work and ensure that by 1<sup>st</sup> of November 2015 as far as possible the garbage, debris, particularly on the median lane below Metro Lane and the Metro Stations would be cleared.

3. Today, the Chief Public Relations Officer, BMRCL submitted that, the properties of the BMRCL which are not used and remained vacant, are recovered and they are fenced to protect the BMRCL properties free from encroachment. He also submitted that, the plantation process over the median lane wherever the Metro Lane is laid, has been undertaken and substantial area is now covered with the greenery, the remaining area will be shortly completed.
  
4. As on today, the BMRCL has completed the construction of Metro Lane and Station upto 33 Kms. This entire stretch is taken up for beautification, in this regard. 70% of the work has been completed, but at some places, the BMRCL is not in position to take up the cleaning work due to illegal occupation by vegetable as well as flower vendors. He particularly referred to Metro Lane and Station between Banashankari Temple and Sarakki Ring Road Cross. According to him, the said entire stretch is encroached by vegetable and flower vendors. According to him, at any given time, there would be more than 500 vendors particularly in this stretch. The wet garbage that is generated every day is to the tune of four to five lorry loads.



Unless a serious effort is made by the BBMP to regulate the vendors and remove the garbage on regular basis, it is difficult to maintain clean and green Metro Station and Median Lane.

5. On the other hand, the Law Officer, BBMP submitted that, BBMP in co-ordination with the BMRCL has cleared much of the areas. However, he admitted that, there are hundreds of vegetable and flower vendors in this area and floating vendors are also in hundreds and it is difficult to take drastic steps to remove them as it involves livelihood of several families. The decision in this regard cannot be taken without the concurrence of the Commissioner, BBMP. However, he submits that, an alternative arrangement could be made for these flower and vegetable vendors and also for removing the garbage. He further submitted that, BBMP is ready to provide assistance to any NGOs, who come forward to lift the vegetable and flower garbage every day and also keep the area clean, even BBMP will also assist such organisation to set up Compost Unit, which will more profitable as the garbage generated is only wet garbage.

6. In this regard, even the BMRCL also submitted that, they will also assist if anyone come forward to remove the garbage, particularly at the said places.
7. The Chief Public Relations Officer, BMRCL submitted that, though BMRCL is making serious effort to keep Metro Stations and space below the Metro Lane clean, however the public co-operation is most important, he submitted that, the Pillars of the Metro Lane are illegally used for advertisements, displaying political and other functions, some time, it is very difficult for the BMRCL to take action. To show the illegal advertisement on the pillars of Metro Lane, he produced several photographs of the illegal display of leading political personalities and other advertisements.
8. Whereas, the Law Officer also submitted that, stringent action is necessary to prevent illegal advertisement, otherwise, any amount of beautification made would go in vain and it would be waste of time and money.
9. Just to prevent such illegal advertisement, the BMRCL has taken up painting of the pillars and to give beautiful look to the pillars. The work has been started at the M.G.Road



Metro Station as well as the pillar of the Metro Lane with the assistance of NGOs and other like minded organization who are voluntarily coming forward.

10. The BBMP, being self governed is a sole authority to ensure not only the city is clean, but also green. However, the city once known as Garden City is now quoted as 'Garbage City'. What appears from the contention of the complainants is that, day by day, the garbage issue is multiplying and the BBMP is not taking any such steps which not only prevent the accumulation of garbage but is becoming more and more difficult to dispose of the same.
11. The Law Officer submits that, he will inform the Commission and also instruct the local officers of the BBMP, to take a suitable decision in this regard.
12. Since, last few years, the BBMP is only trying various method in the matter if disposal of garbage, but so far, it appears there is no relief to the people, in turn garbage is major contributor for various diseases and local hospitals are flooded with number of patients. This is only due to lack of proper regulation. The suffering of the public due to


unhygienic conditions as well as the garbage has direct nexus with most of serious viral diseases, for which the BBMP alone would be answerable. Before it is too late, the BBMP should wake and take drastic steps in this regard, by increasing the number of labourers and further making the officials as well as the respective Corporators, accountable.

13. On the other hand, the CEO, B.PAC submitted that, though enough time was granted, the BBMP as well as BMRCL even now on superficial inspection made by B.PAC organisation, they have found at 200 places the garbage is still there. No doubt, the photographs produced by the B.PAC organisation reveal the accumulation of the garbage. However, unless a proper awareness is created among people to maintain public places, with co-operation from the local elected representative, issue of recurring accumulation of garbage at various places cannot be easily eradicated. At the same time, the BBMP being a self government and a local body, it is its duty to ensure the cleaning up of garbage regularly. The BBMP and BMRCL should jointly make effort and take action at the earliest and submit a report on the action taken and proposed action by 18/01/2016.



14. In the mean while, both BMRCL as well as B.PAC organisation and representation from this institution would conduct local inspection on some of the vulnerable areas, particularly below the Metro Station as well as Metro Lanes, and other market places. The Legal Officer, BBMP submits that he would fix the date and communicate.

Call this matter on 18/01/2016.

  
(Justice Subash B Adi),  
Upalokayukta,  
Karnataka State.

To

1. The Commissioner, Bruhat Bengaluru Mahanagara Palike, N.R.Square, Bengaluru - 560 002.
2. The Managing Director, Bengaluru Metro Rail Corporation Limited (BMRCL), 3<sup>rd</sup> Floor, BMTC Complex, K.H.Road, Shanthinagar, Bengaluru-560 027.

Copy to:

1. The Law Officer, Bruhat Bengaluru Mahanagara Palike, N.R.Square, Bengaluru - 560 002.
2. The Chief Public Relations Officer, BMRCL, 3<sup>rd</sup> Floor, BMTC Complex, K.H.Road, Shanthinagar, Bengaluru-560 027.
3. The General Manager Finance (T&R), BMRCL, 3<sup>rd</sup> Floor, BMTC Complex, K.H.Road, Shanthinagar, Bengaluru-560 027.
4. CEO & Managing Trustee, B.PAC, No.4/6, Ground Floor, Millers Road, High Grounds, Opp: Vikram Hospital, Bengaluru - 560 052.